

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DUARDO OLVERA, DELFINO OLVERA,
PRISCO SORIANO, FERNANDO PERALTA,
AND MODESTO PERALTA, *individually and*
on behalf of others similarly situated,

Plaintiffs,

- against -

BAREBURGER GROUP LLC, BAREBURGER INC.,
EAST 87 BURGERS LLC, (d/b/a 1681 FIRST
AVENUE BAREBURGER), EAST SIDE BURGERS
LLC (d/b/a 1370 FIRST AVENUE BAREBURGER),
BAREBURGER EAST SIDE LLC,
(d/b/a BAREBURGER), BB ONE LLC
(d/b/a THIRD AVENUE BAREBURGER),
EURIPIDES PELEKANOS, GEORGIOS RODAS,
JOSEPH BUSUTTIL, PANTELIS TZANIDAKIS,
PETROSTZANIDAKIS, GEORGIOS TZANIDAKIS,
JOHN KAPSALIS, NICK MAROLACHAKIS,
NIKOLAOS GALANIS, VLASY VOINOVICH,
AND DIMITRIOS KOSMIDIS,

Defendants.
-----X

No. 14-cv-1372 (PAE)

**DECLARATION IN
SUPPORT OF MOTION
TO DISMISS**

SALVATORE J. ACQUISTA, ESQ. an attorney duly admitted to practice before the
United States District Court, in and for the Southern District of New York, hereby declares the
following to be true under penalties of perjury:

1. I am a member of the law firm Acquistas & Associates, P.C., attorneys for
Defendants Bareburger Group, LLC, Bareburger, Inc., Euripides Pelekanos and George Rodas
(the "Franchisor Defendants"). I am fully familiar with the facts of this action based upon the file
in my office. I submit this declaration in order to place before the Court documents relied upon
by the Franchisor Defendants in their motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6).

2. A copy of the Complaint in this action is attached as Exhibit A.

Dated: Queens, NY
April 21, 2014

s/ Salvatore J. Acquista
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and Georgios Rodas

CERTIFICATE OF SERVICE

I, Salvatore J. Acquista, hereby certify that on April 21, 2014, a true and correct copy of foregoing DECLARATION was served electronically via the Court's ECF System upon the below attorneys and that it is available for viewing and downloading from the ECF System.

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